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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,569	06/28/2001	Guo Qiang Wang	57983.000037	2538

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EXAMINER

CURS, NATHAN M

ART UNIT	PAPER NUMBER
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2633

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/892,569	<b>Applicant(s)</b> WANG ET AL.	
	<b>Examiner</b> Nathan Curs	<b>Art Unit</b> 2633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 March 2005.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-15 and 20-26 is/are allowed.
- 6) ☒ Claim(s) 16, 18 and 19 is/are rejected.
- 7) ☒ Claim(s) 12, 13, 17-21, 23, 25 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

1. The declaration filed on 17 December 2004 under 37 CFR 1.131 is sufficient to overcome the Banerjee et al., Martin, and UNI 1.0 references.

### *Claim Objections*

2. Claims 12, 13, 18-21, 23, 25 and 26 are objected to because of the informalities listed below: Appropriate correction is required.

- In original claim 12:
  - In line 2: "or" should be changed to "nor".
- In previously presented claim 13:
  - In line 2: the phrase "if the service model is overlay model or augmented model" should be changed to "if the service model is the overlay model or the augmented model".
- In original claim 18:
  - In line 1: "protocol" should be changed to "protocol means".
  - In line 3: "protocol" should be changed to "protocol means".
- In original claim 19:
  - In line 1: "protocol" should be changed to "protocol means".
- In original claim 20:
  - In line 2: there should be a comma after "delivery".
  - In line 9: the phrase "incoming interface descriptor" should be changed to "received optical interface descriptor".

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- In line 10: the phrase "second pre-defined" should be changed to "second pre-defined value".
- In line 11: "incoming" should be changed to "received".
- In previously presented claim 21:
  - In line 2: the phrase "and determining from the" should be changed to "and determining from the user".
- In previously presented claim 23:
  - In line 3: the phrase "from the status identifier" should be changed to "from the user status identifier".
- In previously presented claim 25:
  - In line 2: the phrase: determining from the status" should be changed to "determining from the user status".
- In previously presented claim 26:
  - In line 1: "method" should be changed to "system".

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 16, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pendarakis et al. ("Routing Information Exchange in Optical Networks", 28 October 2000, <http://www.watersprings.org/pub/id/draft-prs-optical-routing-00.txt>) in view of Moy ("OSPF Version 2", April 1998, <http://www.faqs.org/ftp/rfc/pdf/rfc2328.txt.pdf>).

Regarding claim 16, Pendarakis et al. disclose a system for routing information over an optical network having multiple optical service models, the system comprising: wavelength routing protocol means for flooding an optical link state advertisement to an optical switch (section 4.1.2.2, where the optical switches participating in the OSPF protocol, and flooding summary LSAs between different areas, makes the OSPF protocol in this instance a wavelength routing protocol, flooding optical LSAs); and wavelength distribution protocol means for issuing a connection request upon receiving a broadcast determination (section 5.1, where receiving a provisioning request is receiving a broadcast determination and where the source and destination OXCs completing an optical path through the sub-network or across sub-networks, based on the end point OXC IP addresses, is a wavelength distribution protocol). Pendarakis et al. disclose using multiple OSPF areas for the network, where the optical network serves as one of the OSPF areas (section 4.1.22), but do not disclose means for checking an optical interface descriptor and an administrative domain to determine whether to broadcast or block propagation of a link state advertisement. Moy discloses an OSPF interface, where the interface is defined by a descriptor ("IP interface address") and where the interface is defined by the area ("Area ID") that the interface is attached to (section 9), and that LSAs specific to an OSPF area are only flooded out an interface belonging to the same area (section 13.3). It would have been obvious to one of ordinary skill in the art at the time of the invention that the optical network would only flood LSAs out optical OSPF interfaces that correspond to the area the optical network belongs to, since the use of multiple areas is beneficial from the point of view of ease of migration to optically switched backbones, as taught by Pendarakis et al. (section 4.1.22).

Regarding claim 18, the combination of Pendarakis et al. and Moy discloses the system of claim 16, wherein the wavelength distribution protocol means further comprises means for

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receiving a constraint-based path from the wavelength routing protocol means (Pendarakis et al.: section 5.1).

Regarding claim 19, the combination of Pendarakis et al. and Moy discloses the system of claim 18, wherein the wavelength routing protocol means comprises OSPF means for determining an optimal path (Pendarakis et al.: section 4.1.22).

***Allowable Subject Matter***

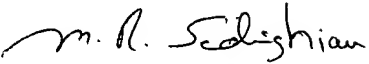
5. Claims 1-15 and 20-26 are allowed.

6. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

7. Any inquiry concerning this communication from the examiner should be directed to N. Curs whose telephone number is (571) 272-3028. The examiner can normally be reached M-F (from 9 AM to 5 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached at (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

  
**M. R. SEDIGHIAN**  
**PRIMARY EXAMINER**